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2/7/01
MA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PAUL TURPIN,

Petitioner

v.

IMMIGRATION and NATURALIZATION
SERVICE,

Respondent

CIVIL NO.1:CV-01-0168

FILED
HARRISBURG, PA

FEB 0 2001

MARY E. D'ANDREA, CLERK
Per MA Deputy Clerk

ORDER

The background of this order is as follows: Petitioner, presently detained at Pike County Jail, Pennsylvania, filed a pro se petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2241, and an application to proceed in forma pauperis, in the United States District Court for the Southern District of New York ("Southern District") on December 1, 2000. Petitioner seeks to be released from the custody of the Immigration and Naturalization Service ("INS") which is pursuing the deportation of Petitioner. On January 18, 2001, the Southern District, finding that it was not the proper venue for Petitioner's habeas petition, issued an order transferring the captioned action to this court and staying Petitioner's removal or deportation until order of this court.

Based on the petition for writ of habeas corpus, **IT IS HEREBY ORDERED THAT:**

- 1) Plaintiff is granted leave to proceed in forma pauperis;
- 2) Respondent shall show cause within twenty (20) days of the date of this order why Petitioner should not be granted habeas corpus relief;

3) A determination as to whether or not Petitioner should be produced for a hearing will be held in abeyance pending the filing of a response; and

4) Petitioner shall, if he so desires, file a reply brief responding to Respondent's submission, within fifteen (15) days of its filing.



SYLVIA H. RAMBO
United States District Judge

Dated: February **7**, 2001.

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

February 7, 2001

Re: 1:01-cv-00168 Turpin v. Immigration and Natu

True and correct copies of the attached were mailed by the clerk
to the following:

Paul Turpin
CTY-PIKE
HC 8, Box 8601
Hawley, PA 18428-8610

David Barasch
United States Attorney's Office
Room 217, Federal Building & Court House
228 Walnut Street
Harrisburg, PA 17108

U.S. Attorney General
Room 511, Main Justice Building
10th and Constitution Ave.
Washington, DC. 20530

Immigration and Naturalization Service
425 I Street, Suite 7100
Washington, DC. 20536

John Ashcroft

Certified

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1st class

w/copy

of Puritans

cc:

Judge	(X)	() Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()	
Order to Show Cause	()	with Petition attached & mailed certified mail

to: US Atty Gen () PA Atty Gen ()
DA of County () Respondents ()
Bankruptcy Court ()
Other _____ ()

MARY E. D'ANDREA, Clerk

DATE: February 7th, 2001

BY: 
Deputy Clerk